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November 19, 2024

BY ECF

Honorable Lewis A. Kaplan
United States District Court for the Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *In re Didi Global Inc. Secs. Litig.*, No. 1:21-cv-05807
Motion to Compel Responses to Plaintiffs' 1st Set of Document Requests

Dear Judge Kaplan:

This motion pertains to Plaintiffs' first Set of Requests for the Production of Documents ("RFPs"), served May 22, 2024, to which responses were served June 28, 2024. Ex. A hereto. Although the parties resolved most of their differences, two issues remain. First, the Underwriters¹ refuse to search for or produce documents for a 10-week time period beyond the Class Period for three RFPs, each of which are relevant and proportional to the needs of the case and for which the Underwriters have made no showing whatsoever of undue burden.² Second, the Underwriters refuse to produce documents responsive to several RFPs, instead excluding categories of documents from their responses while assuring Plaintiffs that documents produced with respect to other RFPs will suffice – despite Plaintiffs explaining the salient differences among the RFPs at issue. The underwriters' positions are untenable.

For the reasons stated below, Plaintiffs seek an order: (a) setting the relevant time period for RFPs 1, 2, 3, and 27 to Feb. 1, 2021 through Sept. 30, 2021; and (b) requiring the Underwriters to produce documents responsive to RFPs 12 and 31 as written.

A. The Default Production Period Cannot Capture Patently Relevant Documents

Plaintiffs initially proposed a default period of January 1, 2024 – concurrent with reports that DiDi Global Inc.'s ("DiDi") IPO was being planned in 2021 – through September 30, 2021,

¹ Defendants Goldman Sachs (Asia) L.L.C., Morgan Stanley & Co. LLC, J.P. Morgan Securities LLC, BofA Securities Inc., Barclays Capital Inc., China Renaissance Securities (US) Inc., Citigroup Global Markets Inc., HSBC Securities (USA) Inc., UBS Securities LLC, and Mizuho Securities USA LLC are referred to herein as "the Underwriters".

² In none of the parties' ongoing meet-and-confer pertaining to search terms (not the subject of this motion), have the Underwriters produced hit counts to justify their refusal to apply Plaintiffs' proposed search terms, even though that is required by Section IV of the Court's ESI Order. ECF 194 at 7.

Memorandum Endorsement

In re Didi Global Inc. Secs. Litig., 21-cv-5807 (LAK)

The motion is granted insofar as it seeks an order requiring the Underwriters to produce documents responsive to RFPs 12 and 31 as written and otherwise denied.

SO ORDERED.

Dated: November 25, 2024



Lewis A. Kaplan
United States District Judge